

MARCY KAPTUR  
MEMBER  
9TH DISTRICT, OHIO

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June 29, 2005

The Honorable Mary Peters  
Federal Highway Administration  
400 Seventh St. SW  
Washington, DC 20590

Dear Administrator Peters:

I am seeking your assistance in determining what resources within the Federal Highway Administration can be provided to the Lucas County Prosecutor in the ongoing investigation into the causes of and potential liability for a bridge construction accident on I-280 in Toledo, which resulted in four deaths and several other injuries. The Lucas County Prosecutor's Office has been working closely with the Department of Transportation's Inspector General, but has reached a point where additional technical expertise is needed.

In particular, engineering and other skilled professional assistance is needed to complete the investigation and take appropriate action. It is my hope that some of the expertise that already exists within the Federal Highway Administration can be detailed to assist the Lucas County Prosecutor. In the event that such expertise might not be available, I am interested in exploring with you what financial resources may be available, including federal highway dollars allocated for the construction of this bridge, that can be used by the Lucas County Prosecutor to retain the needed expertise.

During today's House debate on the fiscal 2006 Transportation Appropriations bill, I asked Subcommittee Chairman Knollenberg to work with me to identify ways to provide appropriate assistance. He committed to do so. A copy of our colloquy is included for your review.

This is the largest federal highway project in the history of this region of Ohio, and it has come with tragic consequences. We have an obligation to those who died and to those who were injured to fully investigate the reasons and liability for this tragedy. We also owe it to the thousands of other construction workers across the country so that they can rest assured that we are serious about providing for their safety when they work on federally funded projects intended for the good of their communities and our nation.

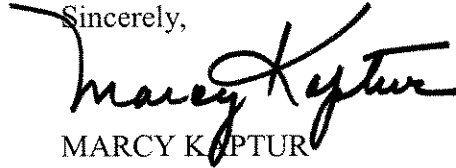
The Honorable Mary Peters

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I look forward to your response, and would be happy to meet with you and the appropriate agency personnel as soon as possible. With warm regards, I am

Sincerely,

A handwritten signature in black ink, reading "Marcy Kaptur". The signature is fluid and cursive, with the first name "Marcy" and last name "Kaptur" clearly distinguishable.

MARCY KAPTUR  
U.S. Representative

MK:rrs

cc: Hon. Norman Mineta,  
Secretary of Transportation  
Hon. Kenneth Mead,  
Inspector General

***Colloquy during House Debate on H.R. 3058 – Transportation, Treasury, HUD, Judiciary, District of Columbia Appropriations Act 2006, Wednesday, June 29, 2006:***

MS. KAPTUR: Mr. Chairman, the worst construction accident in federal transportation history in the City of Toledo, Ohio, took place on February 16, 2004 on the \$200 million I-280 Maumee River Crossing Bridge. Crushed to death on the job as a launching crane collapsed were Mike Phillips, age 42; Arden Clark, age 47; Mike Moreau, age 30 and Robert Lipinski Jr. age 44, all Ironworkers. There were injuries sustained by many other workers.

“Since that time, the Lucas County prosecutor has been investing in accidents to see if there is criminal liability in these deaths. The prosecutor’s office is working with the inspector general of the Department of Transportation but has needs that go beyond what the inspector general can provide. The prosecutor needs technical assistance to determining answers to engineering and other special issues. One might expect that such expertise resides in the department of transportation specifically the federal highway administration.

Mr. Chairman, would you and the ranking minority member be willing to work with me to determine what resources would be available throughout DOT, including the Federal Highway Administration to provide technical expertise in the ongoing investigation and to assure such assistance is provided to the Lucas County prosecutor? Additionally, if such assistance is not available directly from the department, would you work with us to see if the department can provide assistance to the Lucas County prosecutor in the hiring of appropriate outside experts?”

MR. KNOLLENBERG: I can assure her that I will do everything I can to work with her and make sure that we do address this issue. So thank you for bringing it up.

MS. KAPTUR: Thank you so very much, Mr. Chairman. It is greatly appreciated.